

GENERAL ORDER No 25
APPOINTMENT AND REIMBURSEMENT OF PRO BONO COUNSEL

In civil cases in which one or more parties is not represented, the Court may appoint pro bono counsel pursuant to: (1) the Federal Pro Bono Project of this Court (if the pro se litigant is not a prisoner), (2) the Federal Pro Bono Prisoner Litigation Project (if the pro se litigant is a prisoner), and (3) other order or directive of the Court. The Court may appoint counsel for all purposes or for limited purposes such as representation on a dispositive motion, conduct of a deposition, representation in ADR processes, etc.

The Court may stay the case pending appointment of pro bono counsel. As near a time as is practical after the expiration of any such stay, the Court shall conduct a status conference with all parties represented to consider, *inter alia*, whether expedited discovery and/or other proceedings are appropriate to facilitate efficient resolution of the case.

Pro bono counsel appointed by the Court may seek reimbursement for reasonable costs and fees. The Court may order reimbursement for all out of pocket costs to any appointed attorney accepting clients through the Project under the following conditions:

- a. The trial judge shall determine whether the expenses claimed are reasonable and necessary and may authorize reimbursement of costs up to \$10,000. Reimbursements in excess of a total of \$10,000 will be available from the Court in any one case if good cause therefor is found by the trial judge, subject to the approval of the Non-Appropriated Fund Committee of the Court. Any single expense in excess of \$1,000 must be approved by the trial judge prior to its incurrence or expenditure.
- b. If appropriate, pro bono counsel should seek reimbursement for deposition expenses from the State of California's Transcript Reimbursement Fund, Cal. Bus. & Prof. Code § 8008 *et seq*, before applying for reimbursement of such expenses from court funds.
- c. Reimbursable costs shall include, but shall not be limited to, amounts reasonably and necessarily spent on:
 - i. Deposition costs, except to the extent reimbursed under the California State Transcript Reimbursement Fund
 - ii. Copying
 - iii. Serving of process and delivery service
 - iv. Filing fees, if any
 - v. Expert consultant and witness fees, if any

- vi. Reasonable travel expenses for attorney
- vii. Reasonable investigation expenses
- viii. Long-distance telephone

It is the policy of the Court that reimbursement requests for this Project be liberally considered.

- d. Cost reimbursement requests may be submitted by letter directly to the referring trial judge at:

United States District Court
450 Golden Gate Avenue, 16th
Floor San Francisco, CA 94102

Letters shall *not* be served on opposing parties.

- e. Any expenses paid pursuant to paragraphs (a) and (b) (*see above*) must be repaid to the Court and/or to the State of California's Transcript Reimbursement Fund upon recovery of judgment or monetary settlement up to the amount of such recovery subject to allocation by the trial judge.

- f. In compelling cases (for example, where pro bono representation causes a severe financial hardship on the pro bono counsel), a trial judge, with the approval of the Non-Appropriated Fund Committee, may authorize reimbursement of attorney's fees at rates commensurate with Criminal Justice Act rates up to a maximum amount of \$25,000.

ADOPTED: October 13, 1982

FOR THE COURT:

AMENDED: November 28, 2007



Vaughn R Walker
United States District Chief Judge